

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA

Harrisonburg Division

**\*\* NOTICE OF PRELIMINARY HEARING \*\***

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Bankruptcy Case No.: 08-50590  
Loan No.: \*\*\*\*\*5182  
Chapter: 07  
Judge: Ross W. Krumm

In re: Kris Bjorkman, a/k/a  
Kristopher Bjorkman  
Marie Ann Bjorkman  
George I. Vogel, Trustee

Debtor(s)

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TO THE PLAINTIFFS, DEFENDANTS AND OTHER PARTIES IN INTEREST

**PLEASE TAKE NOTICE that a preliminary hearing will be held at:**

US Bankruptcy Court  
Federal Courtroom, 3rd Floor  
U.S. Courthouse  
116 N. Main Street  
Harrisonburg, Virginia 22802

on August 21, 2008 @ 10:30 a.m.

to consider and act upon the following:

Motion for Relief From Stay filed by Household Financial Services, Inc.

NOTICE IS FURTHER GIVEN that a copy of this notice has been served upon the parties as set forth in the proof of service attached hereto.

DATE: 07/18/08

/s/ Stephen B. Wood

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STEPHEN B. WOOD, Esquire  
VSB #26518  
FRIEDMAN & MacFADYEN  
1601 Rolling Hills Drive  
Suite 125, Surry Building  
Richmond, Virginia 23229  
(804) 288-0088

LAW OFFICES  
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1601 ROLLING HILLS DRIVE  
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proceedings, the debtors are the owners of a parcel of real estate located in Augusta County, Virginia, as described in the attached Deed of Trust also known as: 185 Bald Rock Road, Verona, Virginia 24482.

5. That the debtors are justly indebted to Household Financial Services, Inc. pursuant to a Deed of Trust recorded among the Land Records of Augusta County, Virginia. A copy of this Deed of Trust is attached hereto as movant's exhibit "A".

6. That the debtors are now in default on the payment of installments due under the Deed of Trust to the secured creditor.

7. That the principal balance due and owing your movant pursuant to the Deed of Trust is approximately Two Hundred Eighty Four Thousand Five Hundred Seventy Two and 89/100 Dollars (\$284,572.89) through July 31, 2008.

8. That the debtors are presently delinquent in excess of Fourteen Thousand Eight Hundred Ninety Nine and 43/100 Dollars (\$14,899.43) through July 31, 2008.

9. That the amount necessary to pay the total debt through July 31, 2008 is approximately Two Hundred Ninety Nine Thousand Four Hundred Seventy Two and 32/100 Dollars (\$299,472.32).

10. That the debtors have not made six (6) monthly mortgage payments due and owing movant through July 31, 2008.

11. That the movant believes and avers that the debtors have no equity in the property since the total amount owed to movant under the terms of the Deed of Trust, including interest, costs and attorneys' fees clearly will exceed the

value of the property.

12. That the interest of the movant in the said property is not adequately protected.

13. Further, the movant avers that it has been and continues to be irreparably injured by the automatic stay afforded the debtors pursuant to Section 362(a) of the Bankruptcy Code, which prevents the movant from enforcing its rights under its Deed of Trust.

14. That cause exists for lifting the automatic stay provided for under Section 362(a) of the Bankruptcy Code to permit the movant to enforce its rights under its Deed of Trust.

WHEREFORE, your movant prays:

A. That this court enter an Order lifting the automatic stay afforded the debtors by 11 U.S.C. Section 362(a) to enable the movant, and its agents, successors or assigns to proceed with the foreclosure sale of the property and to take all action necessary to secure the possession of the property.

B. That this court grant such other and further relief as it deems necessary.

C. That this court waive the stay of order referenced in Federal Rule of Bankruptcy Procedure 4001(a)(3).

Friedman & MacFadyen, P.A.

/s/ Stephen B. Wood

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1601 Rolling Hills Drive  
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Counsel for the Movant  
VSB No.: 26518

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CERTIFICATION OF SERVICE

I hereby certify that a copy of the foregoing Motion to Modify Stay was mailed, first class postage prepaid, and/or electronically mailed on this 18th day of July, 2008 to the following:

James O. Clough, Esquire  
235 Newman Avenue  
Harrisonburg, Virginia 22801

George I. Vogel, Trustee  
P.O. Box 18188  
Roanoke, Virginia 24014

Kris Bjorkman  
185 Bald Rock Road  
Verona, Virginia 24482

Marie Ann Bjorkman  
185 Bald Rock Road  
Verona, Virginia 24482

/s/ Stephen B. Wood

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Stephen B. Wood, Esquire

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